

**TRANSMITTAL
FORM**

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/619,224	
	Filing Date	July 12, 2003	
	First Named Inventor	Donald M. Besemer et al.	
	Art Unit	1744	
	Examiner Name	David A. Redding	
Total Number of Pages in This Submission	3	Attorney Docket Number	1067.1E

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard; and Interview Summary (2 pp.)		
<table border="1"><tr><td>Remarks</td><td></td></tr></table>			Remarks	
Remarks				

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Philip L. McGarrigle, Reg. No. 31,395
Signature	
Date	April 28, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Katherine Stofer
Signature	
Date	April 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT
Atty. Docket No.1067.1E

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DONALD M. BESEMER et al.)	Examiner: David A. Redding
)	
Serial No: 10/619,224)	Group Art Unit: 1744
)	
Filing Date: July 12, 2003)	
)	
Title: BIOARRAY CHIP REACTION)	
APPARATUS AND ITS MANUFACTURE)	

INTERVIEW SUMMARY UNDER 37 C.F.R. 1.133

Commissioner for Patents
P.O. 1450
Alexandria, VA 22313-1450

Sir:

This Interview Summary is hereby submitted in connection with the personal interview held on April 1, 2004, in regard to the above-referenced application. In attendance were applicant's representative Philip L. McGarrigle and Examiner David E. Redding.

Applicants wish to thank the Examiner for conducting the above interview to discuss the present application. During the interview, Applicant's representative, Mr. McGarrigle, discussed recently filed requests for declaration of interference and a preliminary amendment. Mr. McGarrigle pointed out that Applicants had copied claims from three patents; U.S. Pat. Nos. 6,420,114 and 6,613,529 to Bedillion, and 6,513,968 to Schembri.

Mr. McGarrigle explained that the preliminary amendment adds the claims from each patent and shows which claims correspond to which patent. Further, Mr. McGarrigle explained that the Requests for Declaration of Interference as filed demonstrate that Applicants have complied with 37 CFR 1.617 because they identified the patents, proposed a count, identified a patent claim and application claim that corresponded to the count, applied the terms of the

application claim, and explained why 35 USC § 135 was met. Applicants also identified a chart in the requests which matched the claims from the patents to the claims from the present application and where the support was found in the present application.

Applicants also explained that they should be designated as Senior party because the present claims derive priority from an application that goes back to June 8th of 1994, which is over 4 years earlier than 6,513,968 to Schembri and 5 1/2 years earlier than 6,420,114 and 6,613,529 to Bedillion.

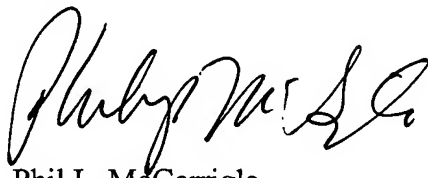
Applicants also explained that they had submitted form 850 for the Examiners convenience.

The patentability of the claims was not specifically discussed.

It is believed that no fee is required for submission of this response. However, if a fee is required, the Commissioner is authorized to deduct such fee from Deposit Account No. 01-0431.

Dated: 4-28-04

Respectfully submitted,



Phil L. McGarrigle
Reg. No. 31,395

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